

Republic of the Philippines
Professional Regulation Commission (PRC)
Manila
THE PROFESSIONAL REGULATORY BOARD OF ARCHITECTURE
Resolution No. 02
Series of 2006

**ADOPTION AND PROMULGATION OF THE CODE OF ETHICAL
CONDUCT FOR REGISTERED AND LICENSED ARCHITECTS AND
FOR HOLDERS OF TEMPORARY/SPECIAL PERMITS UNDER R.A.
NO. 9266, KNOWN AS "THE ARCHITECTURE ACT OF 2004"**

Pursuant to Section 7 (g), Article II of R.A. No. 9266, known as the "Architecture Act of 2004" and Section 7 (g), Rule II of Board Resolution No. 07, Series of 2004, cited as "IRR of the Architecture Act of 2004", the Professional Regulatory Board of Architecture (hereinafter called Board), subject to approval by the Professional Regulation Commission (hereinafter called Commission), resolves, as it is hereby resolved, to adopt and promulgate the hereunder Code of Ethical Conduct for Registered and Licensed Architects and for holders of temporary/special permits under the said R.A. No. 9266 and Board Res. No. 07 as prescribed and issued by the United Architects of the Philippines, Inc. (UAP), the Integrated and Accredited Professional Organization of Architects (IAPOA) in the Philippines by virtue of Board Res. No. 03, Series of 2004 as approved by the Commission.

ARTICLE I GENERAL PROVISIONS

Section 1. *Traits of Architects.* - The profession of Architecture calls for men and women of the highest integrity, responsiveness, business acumen, sensibility, as well as artistic and technical ability.

Section 2. *Duties and Responsibilities.* - The Architect's honesty of purpose must be beyond reproach; he/she acts as professional adviser to his/her Client and his/her advice must be unprejudiced; he/she is charged with the exercise of mediation and conciliation functions between Client and Contractor and must act with entire impartiality; he/she has moral responsibilities to his/her professional associates and subordinates; and he/she is engaged in a profession which carries with it grave responsibilities to the public. These duties and responsibilities cannot be properly discharged unless his/her motives, conduct, sense of moral values, sensitivity, and ability are such as to command respect and confidence.

**ARTICLE II
THE ARCHITECT'S RESPONSIBILITIES IN RELATION TO THE
PEOPLE**

Section 3. *Relations with the Public.* - The Architect is engaged in a profession which carries with it civic responsibilities towards the public, whether such responsibilities are the natural outcome of good citizenship or of his/her professional pursuit, or whether they partake of informative and educational matters or of his/her normal interest in public welfare; and, accordingly, he or she

- 3.1 shall respect and help conserve the systems of values and the natural, historic, and cultural heritage of the community in which he/she creates architecture. He/she shall strive to improve the environment and the life and habitat within it in a sustainable manner, fully mindful of the effect of his/her work on the widest interests of all those who may reasonably be expected to use the product of his/her work.
- 3.2 shall promote the interest of his/her professional organization and do his/her full part of the work to enhance the objectives and services of the organization. He/she should share in the interchange of technical information and experience with the other design professions and the construction industry.
- 3.3 as a good citizen shall abide by and observe the laws and regulations of the the government and comply with the Code of Ethical Conduct and the Standards of Professional Practice. He/she shall at all times endeavor to properly observe the laws on the practice of architecture and on the planning and design of buildings and their environs. He/she shall at no time act in a manner detrimental to the best interest of the architectural profession.
- 3.4 shall not use paid advertisement, nor use self-laudatory, exaggerated, or misleading publicity. However, he/she may, in the context of advancing public knowledge of the Architect's function in society, as well as of architecture itself, opt to write books, be a regular columnist of a publication, or be a contributor to the preparation of any other literature, or actively participate in any forum, seminar, workshop, or similar assemblies through verbal or visual presentations and, in the process, show his/her own true worth as a professional, in which case he/she may receive remuneration or honorarium for such undertakings.
- 3.5 shall not solicit, nor permit to solicit, in his/her name, advertisements or other support towards the cost of any publication presenting his/her work. He/she shall refrain from taking part in paid advertisement endorsing any materials of construction or building equipment.
- 3.6 shall not deceive the public as to his/her professional competence, nor claim any professional specialization unless supported by academic qualification, track record or relevant expertise, professional resources available to him/her which will enable him/her to handle the work particularly requiring such specialization and sanction, by his/her peers in the profession.
- 3.7 may exhibit his/her professional shingle outside his/her office, or display a project billboard indicating relevant information, which may include pictorial reproduction thereof, in a modest manner.

ARTICLE III

THE ARCHITECT'S RESPONSIBILITIES IN RELATION TO HIS/HER CLIENT

Section 4. *Relations with the Client.* - The Architect's relation to his/her Client is dependent upon good faith. To ensure the continued existence of such state of good relationship, the Architect's position carries with it certain moral obligations to his/her Client and to himself/herself. The Architect shall always endeavor to protect the Client's interests but never at the expense of higher public interests and public welfare; and, accordingly, he/she

- 4.1 shall introduce to a prospective Client the professional services he/she is able to perform provided it is limited to the presentation of examples of his/her professional-experience and does not entail the offering of free preliminary sketches or other services without the benefit of an agreement with the Client for legitimate compensation.
- 4.2 shall acquaint or ascertain from the Client, at the very inception of their business relationship, the exact nature and scope of his/her services and properly inform the Client of the corresponding professional fees.
- 4.3 shall advise a Client against proceeding with any project whose practicability may be questionable due to financial or legal important and/or exigent conditions, even if such advice may mean the loss of a prospective commission to the Architect.
- 4.4 shall explain the conditional character of estimates and in no case shall he/she guarantee any estimates or cost of the work in order to secure a commission, unless provided for by law, as in certain government projects.
- 4.5 shall consider the needs and stipulation of his/her Client and the effects of his/her work upon the life and well-being of the public and the community as a whole and shall endeavor to meet the aesthetic and functional requirements of the project commensurate with the Client's budget.
- 4.6 shall bill his/her Client for services rendered a professional fee commensurate with the work involved and with his/her professional standing and experience based upon the Basic Minimum Fee prescribed under the "Standards of Professional Practice."
- 4.7 shall undertake the construction of a project even when the plans were prepared by him/her when it conforms with pertinent sections of the "Standards of Professional Practice".
- 4.8 shall be compensated for his/her services solely through his/her professional fee billed directly to the Client. He/she shall not ask for any other returns in whatever form from any interested source other than the Client.
- 4.9 shall be free in his/her investments and business relations outside of his/her profession from any financial or personal interests which tend to weaker his/her standing as an unprejudiced and honest adviser, free to act in his/her Client's best interests. If the Architect has any other business interest's which would relate to, or affect the interest of the Client, he/she should inform the Client of such a condition or situation.
- 4.10 shall include in his/her agreement with the Client a clause providing for negotiation, mediation/conciliation and/or arbitration as alternative methods for the settlement of disputes.
- 4.11 shall carry out his/her professional work without undue delay and within an agreed reasonable time limit.
- 4.12 shall keep the Client informed at all times of the progress of the work undertaken on the Client's behalf and of any issue that may affect project quality and cost.

ARTICLE IV
THE ARCHITECT'S RESPONSIBILITIES IN RELATION TO THE CONTRACTOR

Section 5. *Relations with Contractor.* - The Contractor depends upon the Architect to safeguard fairly the Contractor's interest as well as those of the Client; and, accordingly he or she

- 5.1 shall give the Contractor every reasonable assistance to enable him/her to fully understand the contents of the Contract Documents by furnishing clear, definite, and consistent information in all pertinent contract documents to avoid unnecessary mistakes that may involve extra costs to either the Contractor or the Client.
- 5.2 shall not knowingly call upon the Contractor to correct or remedy oversights or errors in the Contract Document to the Contractor's or the Owner's financial disadvantage.
- 5.3 shall, immediately upon his/her personal knowledge and inspection, reject or condemn material, equipment, or workmanship which is not in conformity with the Contract Documents in order not to cause unnecessary delay and additional expense to the Contractor.
- 5.4 shall reject any offer of free professional engineering or allied design service/s, or receive any substantial aid, gifts, commissions, or favors from any Contractor or Sub-contractor which will tend to place him/her under any kind of obligation to return such favors.
- 5.5 shall promptly inspect each phase of the work completed and if found according to the terms of the Contract Documents, issue the corresponding Certificates of Payment and the Final Certificate of Completion, respectively, to the Contractor.

ARTICLE V
THE ARCHITECT'S RESPONSIBILITIES IN RELATION TO MANUFACTURERS, DEALERS, AND AGENTS

Section 6. - *Relations with Manufacturers, Dealers, and Agents.* - An exchange of technical information between the Architect and those who manufacture, supply, and handle building materials or equipment is necessary and, therefore, encouraged and commended, provided that: he/she

- 6.1 shall not solicit free professional engineering/allied design or other technical services from manufacturers or suppliers of building materials or equipment when these are accompanied by an obligation detrimental to the best interest of the Client, or which may adversely affect the Architect's professional opinion.
- 6.2 shall not seek commissions, discounts, fees, gifts, or favors from agents or firms handling building materials or equipment which may place him/her in a reciprocal frame of mind. All market discounts shall be credited to the Client.

ARTICLE VI
THE ARCHITECT'S RESPONSIBILITIES IN RELATION TO HIS/HER
COLLEAGUES AND SUBORDINATES

Section 1. *Relations with his/her colleagues and subordinates (his/her big and small brothers/sisters).* - The Architect has moral responsibilities towards his/her profession, his/her colleagues, and his/her subordinates; and, accordingly, he or she

- 7.1 shall not render professional services without a professional service agreement. He/she shall neither offer nor provide preliminary services on a conditional basis prior to definite agreement with the Client for the commission of the project.
- 7.2 shall abide by the Basic Minimum Fee prescribed under the "Standards of Professional Practice". He/she shall not use donation of professional services as a device for obtaining competitive advantage except for worthy civic or religious projects. Neither shall he/she submit solicited or unsolicited sketches or drawings in competition with other Architects unless such competitive arrangements are conducted substantially under the terms of the Architectural Competition Code.
- 7.3 shall not, in any case, enter as competitor in any Architectural Competition when he/she has direct involvement in the formulation of the Program thereof, or when he/she has been engaged to act as Professional Adviser or Juror for such competition. Neither shall the Architect accept and act as professional adviser or juror in any architectural competition when he/she has had any information or has reviewed or assisted in the preparation of such competition. Nor shall he be retained as a professional adviser in a competition, accept employment as an Architect for the competition project, except as Consulting Architect.
- 7.4 shall not, under any circumstances or through any means, solicit any project already known to him/her as previously committed to another Architect, whether such a commitment is still in the process of negotiation or has already been definitely agreed upon.
- 7.5 shall not undertake a commission for which he/she knows that another Architect has been previously employed unless he/she notifies the other Architect of the fact in writing and has conclusively determined that the original employment has been terminated and duly compensated for.
- 7.6 shall not undertake a commission for additions, rehabilitation, or remodeling of any erected structure undertaken previously by another Architect without duly notifying him of the contemplated project even when the Client/Owner is no longer the same. When the greater mass, area, or design of the original structure is substantially maintained, the new Architect should limit his/her advertisement or claim only to the extent of the specific work he/she has done to the structure. Whenever the nature of work involved examples of our architectural heritage, the Architect must look at all possibilities of restoration.
- 7.7 shall not maliciously, or unfairly criticize, or discredit another Architect or the latter's work.

- 7.8 shall refrain from associating himself/herself with, or allowing the use of his/her name by any enterprise that may negatively affect himself/herself or the architectural profession.
- 7.9 shall not affix his/her signature and seal to any plans or professional documents prepared by other persons or entities and not done under his/her direct personal supervision.
- 7.10 shall provide employees and subordinates with a suitable work environment, compensate them fairly, and facilitate their professional advancement. He/she shall tutor and mentor the young aspirants towards the ideals, functions, duties, and responsibilities leading to the ethical practice of the architectural profession.
- 7.11 shall unselfishly give his/her share in the transfer of technical knowledge and experience to his/her colleagues and young aspirants and do his/her part in fostering unity in the furtherance of the profession.
- 7.12 shall unselfishly give his/her time and effort to the advancement of the profession thru his/her active and personal commitment and involvement with the Integrated and Accredited Professional Organization of Architects (IAPOA) and in undertaking specific advocacy work to ultimately benefit the architectural profession.
- 7.13 shall ensure that the conduct of his/her professional practice abides by appropriate and effective internal procedures, including monitoring and review processes, as well as sufficient qualified and supervised staff to enable the firm to function efficiently.
- 7.14 shall neither appropriate the intellectual property of, nor unduly take advantage of the ideas of another architect without express authority from the originating architect.
- 7.15 shall build his/her professional reputation on the merits of his/her own service and performance and shall strive to continuously update his/her professional know-how. He/she shall recognize and give credit to others for professional work performed.
- 7.16 shall not, when offering services as an independent consultant, quote a fee without first receiving an official invitation for him/her to do so. The Architect must have sufficient information on the nature and scope of the project to enable him/her to prepare a fee proposal clearly indicating the services covered by the fee in order to protect the Client and the public from under-resourcing or under-pricing by some unscrupulous parties.
- 7.17 shall not undertake professional work unless the parties shall have clearly agreed in writing to the terms of the architectural commission, to wit:
 - 7.16.1 scope of work,
 - 7.16.2 delineation of responsibilities,
 - 7.16.3 any limitation of responsibilities,
 - 7.16.4 fee or method of calculating it,
 - 7.16.5 mode of alternative dispute resolution, and
 - 7.16.6 any provision for termination.

- 7.18 shall continue to raise the standards of aesthetic excellence, functional logic, architectural education, research, training, and practice.
- 7.19 shall, as appropriate, promote the allied arts and contribute to the knowledge and capability of the construction industry.
- 7.20 if he/she possesses substantial information which leads to a reasonable belief that another Architect has committed a violation of this Code, shall file a formal complaint with the designated body.
- 7.21 if he/she is leaving his/her Architect-Employer shall not, without the permission of the latter, take with him/her designs, drawings, data, or other relevant materials even if personally performed by him/her. On the other hand, the Architect-Employer shall not unreasonably withhold such permission, except when some confidentiality of any such documents must be reasonably protected.
- 7.22 shall not discriminate on grounds of race, national origin, age, gender, marital status, religion, or any disability which would hinder the performance of his/her professional work.

ARTICLE VII ARCHITECTS CREDO

Section 8. Any registered and licensed architect shall recite with vigor, passion, and hope the Architect's Credo during special or important occasion, e.g., mass oath-taking, IAPOA's affair, PRBOA's event. The Architect's Credo shall be the following:

I shall work with this virtuous commitment: to exercise to the utmost my duty to myself, my country, and my God.

I shall uphold the ideals, follow the norms of conduct of a noble profession, and endlessly endeavor to protect and further its just ends. I shall abide by the laws, rules, legal orders, statutory policies, and measures of my country; the Code of Ethical Conduct and the Standards of Professional Practice; and the Articles of Incorporation and By-Laws of the Integrated and Accredited Professional Organization of Architects (IAPOA).

I shall humbly seek success not through the measure of solicited personal publicity, but by industrious, meaningful application to my work, and strive to merit a reputation for quality of service and for equitable dealing.

I shall ask for fair remuneration for my professional services from my Client, and hold his/her interest over and above my own.

I shall disclose, whenever required, any private business investments or ventures that may tend to create a conflict of interest, and ensure that such conflict does neither compromise the legitimate interests of my Clients nor interfere with my duty to render impartial judgment.

I shall exercise my professional prerogatives always with the highest level of integrity.

I shall inspire by my behavior the loyalty of my associates and subordinates, and take upon me the mentorship of the aspirants to the profession.

I shall confine my criticisms and praises within constructive and inspirational limits and never resort to these means to promote any malicious motives.

I shall dedicate myself to the pursuit of creative endeavor towards the goal of enlightened Art and Science, generously sharing the results of my research, experience, and expertise.

I shall treasure my being a holder of a valid certificate of registration and a valid professional identification card as registered and licensed architect and of a valid membership card with the IAPOA.

I shall consecrate myself to the highest standard of professionalism, integrity, and competence to the public, to the Client, to the contractor, to the manufacturers, dealers, and agents, and to colleagues and subordinates who are the direct and indirect users and beneficiaries of my architectural services.

ARTICLE VIII MISCELLANEOUS PROVISIONS


Section 9. *Liabilities and Penalties.* Any registered and licensed architect or a grantee of a temporary/special permit who violates any provision of this Code shall be liable under Sec. 23 (f), Art. III and Sec. 29, Art. IV of R.A. No. 9266 and under Sec. 23 (f), Rule III and Sec. 29, Rule IV of Board Resolution No. 07, Series of 2004; and, accordingly, shall be meted out with the penalty of suspension or revocation of the validity of certificate of registration, or cancellation of a special/temporary permit by the Board, and/or of a fine of not less than One hundred thousand pesos (P100,000.00) but not more than five million pesos (P5,000,000.00) or to suffer imprisonment for a period of not less than six (6) months or not exceeding six (6) years, or both at the discretion of the court, respectively.


Section 10. *Separability Clause.* If any section or part of the herein Resolution shall be declared unconstitutional or invalid, such declaration or judgment shall not affect, invalidate, or impair the other sections or provisions thereof or part thereof directly involved in which such judgment has been rendered.


Section 11. *Effectivity Clause.* The herein Resolution shall take effect after fifteen (15) days following its full and complete publication in the Official Gazette or any daily newspaper of general circulation in the Philippines.

Done in the City of Manila, this 5th day of April, 2006.

Done in the City of Manila, this 5th day of April, 2006.


EUGENE G. GAX
Chairman


FERNANDO L. SANTOS
Member



MIGUEL A. CALUZA
Member

ATTESTED TO:


CARLOS G. ALMELOR
Secretary, Professional Regulatory Boards

APPROVED:


LEONOR TRIPON-ROSERO
Chairperson


AVELINA A. DE LA RUA
Commissioner


RENATO R. VALDECANTOS
Commissioner

For / Para: PRESIDENTE
Chairman